

**UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA**

---

**UNITED STATES OF AMERICA,  
*ex rel.* DONALD DAVIDSON,**

**Plaintiff,**

**Case No.: 16-1036-PHX-JZB**

**v.**

**ABRAZO ARIZONA HEART HOSPITAL,  
ABRAZO COMMUNITY HEALTH NETWORK,  
ABRAZO ARROWHEAD CAMPUS,  
TENET HEALTH CORPORATION and  
VHS OF ARROWHEAD, INC.,**

**Defendants.**

---

**RELATOR’S NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE  
PURSUANT TO FRCP 41**

---

Relator Donald Davidson hereby gives Notice that this action is dismissed without prejudice pursuant to FRCP 41(a)(1). The Complaint has not been served and no Answer or motion for summary judgment has been filed.

This action was brought pursuant to the False Claims Act. On June 28, 2016, this Court signed an Order requiring that the Complaint be unsealed and served upon the Defendants by the Relator. The Order further provided that “should any party propose that this action be dismissed, settled, or otherwise discontinued, the Court will provide the United States with notice and an opportunity to be heard before ruling or granting its approval.” The United States does not oppose this Notice of Dismissal so long as the action is dismissed without prejudice as to the United States.

Respectfully submitted,

MAHANY LAW and TYLER ALLEN LAW FIRM

/s/ Shannon Peters

Brian H. Mahany

Wisconsin Bar No. 1065623

Member NDIL Bar

P.O. Box 511328

Milwaukee, Wisconsin 53202

Telephone: 414.223.0464

Facsimile: 414.223.0472

[brian@mahanylaw.com](mailto:brian@mahanylaw.com)

Shannon Peters

Tyler Allen Law Firm

4201 North 24th Street, Suite 200

Phoenix, AZ 85016

**CERTIFICATE OF SERVICE**

I, Shannon Peters, an attorney, certify that on July 18, 2016, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following counsel of record:

Lon Leavitt, Assistant United States Attorney  
2 Renaissance Square  
40 N Central Avenue  
Suite 1200  
Phoenix, AZ 85004-4408

/s/ Shannon Peters  
Shannon Peters